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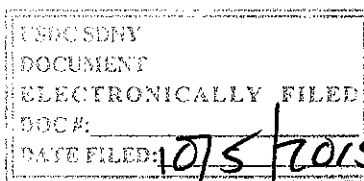
MEMO ENDORSED

Mariko Hirose
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October 1, 2015

Via Fax to: (914) 390-4278

Hon. Cathy Seibel
United States District Court
for the Southern District of New York
300 Quarropas Street
White Plains, New York 10601



Re: *Barboza v. Village of Liberty*, 13 CV 4067 (CS)

Dear Judge Seibel:

Pursuant to the Court's order to provide a proposed briefing schedule for Rule 54(b) motion practice in this case (ECF 85), the plaintiff has conferred with counsel for defendants Village of Liberty, Steven D'Agata, and Melvin Gorr, and propose the schedule below:

- Friday, October 16, for filing of any Rule 54(b) motions;
- Friday, November 6, for filing of any opposition;
- Friday, November 13, for filing of any replies.

The plaintiff has not been able to confer with Samuel Yasgur, counsel for defendant Robert Zangla, as Mr. Yasgur has been in the hospital since the court's order. The plaintiff will submit an additional letter to the court if it becomes necessary to amend the proposed schedule after the plaintiff has had the opportunity to confer with Mr. Yasgur.

The plaintiff further requests that the Court rule on the plaintiff's request to publish the summary judgment opinion, which was contained within the plaintiff's September 28, 2015 letter to the Court. We thank the Court for considering this request.

Schedule approved. The Court sends its best to Mr. Yasgur for a speedy recovery.

Respectfully submitted,

Mariko Hirose

Mariko Hirose
New York Civil Liberties Union Foundation

The Court did not regard the summary judgment decision as particularly ground-breaking,

Stephen Bergstein
Bergstein & Ullrich, LLP

Counsel for Plaintiff

despite the publicity that was generated as a result, and does not have the luxury of preparing published opinions for all cases. Should my caseload permit, I will consider publication, but make no commitments.

So Ordered.

Cathy Seibel
Cathy Seibel, U.S.D.J.

Dated: 10/1/15

CC (via fax and e-mail):

Adam Rodd, Esq. (845-458-7304, arodd@drakeloeblaw.com)

Samuel Yasgur, Esq. (845-807-0574, samuel.yasgur@co.sullivan.ny.us)



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FAX COVER SHEET

TO: Hon. Cathy Seibel
FAX: (914) 390-4278
FROM: Mariko Hirose
RE: *Barboza v. Village of Liberty*, 13 CV 4067 (CS)
DATE: October 1, 2015

Total number of pages (including cover sheet): 3

MESSAGE:

Please find attached a letter regarding matters in the above-referenced case.

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